

**Questions for the Record Submitted to  
Deputy Assistant Secretary James Keith by  
Representatives Christopher Smith and Thomas Tancredo (#1)  
House International Relations Committee  
February 15, 2006**

**Question:**

**In your written testimony you noted that “we intend to sustain a robust foreign policy response to these challenges”. What will that policy look like in practice?**

**Answer:**

The United States is committed to ensuring maximum worldwide access to information over the Internet and other media. We work actively to encourage all governments, including China, to recognize and understand the critical role that the free-flow of information plays in the development of a modern society and economy. We also will continue our efforts to make sure that those governments which seek to censor information and silence debate on the Internet meet as little success as possible. To ensure a well-coordinated and robust U.S. foreign policy response to these challenges, Secretary Rice established the Global Internet Freedom Task Force (GIFT) on February 14, to bolster our continuing efforts in this area.

The task force focuses the State Department’s efforts to coordinate with other agencies, U.S. companies, NGOs, academic researchers, and other stakeholders as we consider the foreign policy aspects of Internet freedom, including:

- the use of technology to restrict access to political content and the impact of such censorship efforts on U.S. companies; and
- the use of technology to track and repress dissidents.

We have a broad range of diplomatic tools to advance global Internet freedom, including:

- intensifying pressure on restrictive governments;

- building coalitions with like-minded governments;
- supporting the efforts of international organizations to promote freedom of information;
- promoting Internet access in countries for which Internet connectivity lags the rest of the world;
- urging voluntary industry action to ensure that, as companies spread the availability of the Internet around the world, they also take care to minimize its abuse as a means of political repression; and,
- enhancing our reporting on the state of Internet freedom in our human rights reports on individual countries.

**Question:**

**What U.S. interests are being countered by the censoring of information on the internet?**

**Answer:**

The right to freedom of expression is firmly anchored in international law and in multilateral conventions. It is also one of our most important foreign policy priorities and the censoring and filtering of information prevents us from engaging people in other countries in a serious discussion about the world in which we live. As Secretary Rice has said, the U.S. welcomes a confident, peaceful and prosperous China. This is in America's interests and in the interests of our allies and friends in the Asia-Pacific and the world.

However, as I stated in my testimony, we do not believe China can achieve its ambitious development goals unless it opens its political system further and allows the full participation of its citizens in the political process. Nor can China garner international recognition as a fully modern, successful country so long as its human rights record, including respect for freedom of expression, remains poor. These are points we repeatedly have made, and will continue to make, to the Chinese leadership.

**Question:**

**Could China's attempts to regulate the internet damage its social order as you allude to in your testimony?**

**Answer:**

We believe China will not achieve its ambitious development goals unless it opens its political system further and allows the full participation of its citizens in the political process. China's rapid growth has exposed – indeed, sometimes created – serious inequities and structural weaknesses. China's recent economic development success has certainly produced a wealthier society, but that wealth is not evenly distributed and it is no surprise discontent is rising, and sometimes expressed in disturbing ways such as violent public protests. The Chinese Government has acknowledged this problem, officially reporting that there were 87,000 social disturbances last year alone.

We continue in our efforts to convince the Chinese government that the best ways to ensure legitimate grievances are heard and addressed are by: expanding the ability of people to participate in their own governance through democratic elections; building a transparent, fair, and independent legal system based on the rule-of-law; fostering civil society; and liberalizing the flow of information and ideas. The Chinese leadership's efforts to strictly regulate and monitor the content of the Internet and other media stifles public discussion of issues ranging from land reform, official corruption, environmental and health concerns to human rights, labor disputes, legal reform and other issues that are at the root of social discontent.

**Question:**

Recently, Yahoo -- under criticism for turning over emails to the Chinese government that resulted in the jailing of a Chinese reporter, issued an interesting statement a few days ago. The company said, *"Doing business in certain countries presents U.S. companies with challenging and complex questions...Private industry alone cannot effectively influence foreign government policies on issues like the free exchange of ideas, maximum access to information, and human rights reform, and we believe continued government-to-government dialogue is vital to achieve progress on these complex political issues."* The reason I find this statement so interesting is because it seems to be a 180 degree turn from the kind of promises that were made to all of us in the lead up to the PNTR vote for China. Back then, private industry continually assured us that expanded commercial interaction with China would loosen Beijing's death grip on political expression. Tech and internet companies in particular assured us that the internet would be "the messenger of freedom" for China. Well, here we are just a few years later and companies like Yahoo seem to be walking away from these rosy assurances while the Chinese government has experienced a windfall of capital investment that has been effectively used to build up their military and tighten their grip on Chinese society (albeit a Chinese society with a few more cell phones, McDonalds restaurants and Wal Mart stores). Is it time for us to finally admit that economic and commercial engagement does not automatically lead to political reform, and as such, is it time for us to revisit our commercial relationship with communist China?

**Answer:**

China's human rights record continues to be poor. President Bush, Secretary Rice, Deputy Secretary Zoellick, Ambassador Randt, and others have repeatedly and explicitly highlighted abuses and called on China to meet international standards in protecting the basic civil and political liberties of its people.

Our goal is to engage China on the best way to achieve genuine respect for human rights. Isolating China is not the best way to advance this goal. We are, of course, deeply disappointed by the recent backward steps the Chinese government has taken. Still, our greatest chance of long-term success is integrating China into the international system and urging it to become a responsible stakeholder in maintaining that system.

I can assure you that we will continue, frankly and steadfastly, to voice our concern over China's repression of political and religious dissidents and urge it to end such abuses.

I also see some progress in the expansion of personal freedoms in China. This is largely due to choices made by the Chinese themselves, but the increasing exposure of all sectors of Chinese society to the economic, social, cultural, and political influences of the rest of the world, including the United States, has played a role in that as well. The message I regularly convey to my Chinese colleagues is that allowing people the freedom to express themselves in the Internet and elsewhere doesn't weaken China. Just the opposite. It promotes stability at a time of dramatic social and economic transformation. A freer China will be a more prosperous, more successful China, in part, because people who are free to express their views and participate in their own local governance have a stake in dealing with the economic and social issues confronting them.

President Bush addressed the importance of Internet freedom in his recent meeting with President Hu. The State Department will continue to press China on this point.

**Question:**

**We've heard many companies talk about how adhering to the censorship guidelines is a lesser evil than not providing service in the PRC because it will allow them to open a "crack in the door" to the world wide web for Chinese internet users. But couldn't one also make the argument that acquiescing to these demands will allow the PRC government to actually create an "alternative internet" instead, which will allow them to better control public opinion while creating the illusion of free access to information?**

**Answer:**

The PRC has committed significant resources to controlling the Internet content that is available to its citizens. It has accomplished this, in large part, by limiting the number of international gateways available and restricting access to foreign content. Its own capacity to develop and deploy censorship technologies is growing steadily. These efforts at censorship are enhanced by the preference of most Chinese Internet users for content in their own language --

content that is now supplied mainly by PRC domestic sites. As a result, there exists already a PRC-controlled “area” of the Internet that functions incompletely but substantially as an Intranet.

However, we should not underestimate China’s more sophisticated Internet users. Most of them are aware of and take into account the government’s censorship efforts, and many actively seek ways to access censored sources of information. Furthermore, while PRC authorities are at least partially successful in limiting access to issues they deem threatening, information on political and human rights issues in China and other countries is increasingly shared via electronic bulletin boards, blogs, and e-mail messages where there is less PRC control.

I am confident that at some point, Chinese authorities will recognize that it is in their interest to be more open with regard to sources of information and permit greater freedom of expression. A society closed off to debate is not, as the President has reminded Chinese leaders, a society that can accommodate to the myriad changes encountered in a dynamic and changing world.

### **Question:**

**Many US internet companies have complained to me privately that they are being forced into accepting these kinds of "compromises" by economic pressures from Chinese competitors who enthusiastically embrace Chinese censorship requirements even while they derive tens of millions of dollars in venture capital from the U.S. market. Baidu, for example, a Chinese search engine company, recently raised enormous amounts of money in U.S. investment, only to use that funding to better control the flow of information and more rigorously restrict access to the World Wide Web by Chinese internet users. Is it time for the U.S. to re-examine the conditions under which we allow access to U.S. capital by foreign tech companies? Would the interest of expanding access to information be better served if we were to require foreign companies seeking U.S. capital to adhere to a "code of conduct" that includes vowing not to adhere to arcane censorship requirements before we allow them to access that capital?**

**Answer:**

The State Department has encouraged U.S. Internet companies, in cooperation with NGOs and other stakeholders, to develop a set of industry-wide principles with regard to their overseas activities. We understand this effort is underway, and we continue to urge our companies to make progress.

The question of limiting foreign companies' access to capital in the U.S. market raises numerous policy issues, including with respect to our international trade commitments on financial services. The Department of the Treasury and the Office of the U.S. Trade Representative could address these issues in greater detail.